



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 9th day of MARCH 2024

NATIONAL LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Mr.JUSTICE B.GOKULDAS (Retd.)
and

Members

Mr.K.BALASUBRAMANIAN, District Judge (Retd)

Mr.R.GANESH

CMA No.2499 of 2023

Appeal against the award dated 06.04.2022 made in
M.C.O.P.No.104 of 2019 on the file of the MACT/I Additional District cum
Sessions Court at Salem.

1.C.Jothi
2.C.Monish
3.C.Kamalesh

... Appellants

Vs.

1.B.Satheeskumar
S/o.Kandasamy

2.The National Insurance Co. Ltd.,
No.74-A, Paramathy Road,
Namakkal Taluk & Namakkal District.

[Respondent-1 set remained exparte before the Tribunal.
Hence notice may be dispensed with for R-1 in this appeal.

... Respondents

This case is taken up for settlement before the National Lok Adalat.
Both the parties are present. Mr.Ma.P.Thangavel, learned counsel for
appellants and Mr.S.Arunkumar, learned counsel for the second
respondent is present. After mutual discussion, negotiation, mediation and
conciliation between both parties, they arrived at a compromise to settle
the matter as follows:

**TERMS OF SETTLEMENT**

The Tribunal has awarded a sum of Rs.87,49,129/- with interest at 7.5% per annum from the date of petition till the date of decree and costs as compensation. Aggrieved by the award of the Tribunal, the appellants/claimants have preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to enhance the award to a sum of Rs.7,50,000/- (Rupees Seven Lakhs Fifty Thousand only) in full quit (without interest) as compensation.

3. According to learned counsel for the second respondent-Insurance Company, the entire amount awarded by the Tribunal with interest and costs, has already been deposited before the Tribunal.

4. Hence, the second respondent/Insurance Company is directed to deposit the above said accepted award amount of Rs.7,50,000/- (Rupees Seven Lakhs Fifty Thousand only) as full quit (without interest) as compensation, within a period of eight (8) weeks from the date of receipt of a copy of this award. If the payment has not been made within the time stipulated, the second respondent/Insurance Company is directed to pay the amount along with the interest at the rate of 7.5% p.a., from today till the date of realisation.

5. The enhanced award amount shall be apportioned among the appellants as follows:-

A1 (Wife)	-	Rs.2,50,000/-
A2	-	Rs.2,50,000/-
A3	-	Rs.2,50,000/-

6. On such deposit, the Tribunal is directed to transfer the amount as apportioned above through RTGS/NEFT to the parties concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly. The connected miscellaneous petition is closed,



if any.

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This Lok Adalat award is passed in terms of the above settlement.

The full Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

Judge

Member

Member

1.C.Jothi

2.C.Monish

3.C.Kamalesh

Counsel for the Appellants

The National Insurance Co. Ltd.,
No.74-A, Paramathy Road,
Namakkal Taluk & Namakkal District. Counsel for the 2nd Respondent

To:
The parties/Advocate concerned

Copy to:

- 1.The MACT/I Additional District cum Sessions Court at Salem.
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.
- 4.The Section Officer, Lok Adalat Section, High Court, Madras.+2 copies

sp/rpl



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B.GOKULDAS,J. (Retd.)

sp/rpl

CMA No.2499 of 2023

09.03.2024